

DOCKET NO. VERTE.076A

Serial No. 10/059,682

Response to Office Action of March 10, 2005

PATENT**Remarks**

Claims 1-2, 4-6, 8-20 and 25 are in the case.

In the Office Action, claims 11-20 are allowed. Claims 1, 2, 4-6, and 9 are rejected. Claims 8, 10, and 25 are objected to. As a result, the only independent claim at issue in the case is claim 1. Thus, for the reasons discussed below, because the rejections of claim 1 are improper, Applicants arguments will be limited to the patentability of claim 1.

The Rejections of Independent Claim 1 Are Improper

In paragraph 2 of the Office Action, claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by either Japan 4-25012 ("Japan'012") or Japan 2000-21840 ("Japan'840").

In paragraph 4 of the Office Action, claim 1 was further rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Application Publication 2002/0066464 ("Bergman"), U.S. Patent 6,524,940 ("Verhaverbeke"), U.S. Patent 6,265,323 ("Nakamura"), or Japan 2001-87725 ("Japan'725").

All of the rejections of claim 1 based on the aforementioned references suffer from the same deficiency. Therefore, the distinction between the invention of claim 1 and the teachings of the cited references will be discussed *en masse*.

Claim 1 is directed to an assembly for cleaning a thin, flat substrate comprising: a transmitter; a transducer coupled to the transmitter in a manner to create a transmission path for transmitting megasonic vibration from the transducer through the transmitter to the substrate; and at least one of (1) a gap in the transmission path between the transducer and an end face of the transmitter, and (2) a recess in the end face of the transmitter. None of the references, either alone or in combination, teach or suggest a megasonic cleaning assembly having either a gap in the transmission path between the transducer and an end face of the transmitter, or a recess in the end face of the transmitter, as is required by claim 1.

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In rejecting claim 1, the Office Action cites the space located between the transmitter and the substrate of the cited cleaning apparatuses as reading on the gap limitation recited in claim 1. This, however, is in incorrect. Claim 1 requires, *inter alia*, that the gap in the transmission path be between the transducer and an end face of the transmitter. In contrast, the space cited in the Office Action is located after the transmitter. Thus, even if this space is considered a gap, it is not located between the transducer and an end face of the transmitter, as is required by claim 1.

By way of background, the space between the transmitter and the substrate, is the space in which the layer of cleaning fluid is supplied to couple the transmitter to the substrate. While claim 1 does require such a fluid receiving gap in reciting "a small gap between the transmitter and the substrate," claim 1 also requires a gap in the transmission path between the transducer and an end face of the transmitter, or a recess in the end face of the transmitter. A closer review of the cited references reveals that none of the cited references either disclose or suggest a recess in the end face of the transmitter or a gap between the transducer and an end face of the transmitter. Therefore, the rejections of claim 1 are improper, and it is respectfully requested that they be withdrawn.

Applicants acknowledge the allowance of claim 11-20.

It is believed that all grounds of rejection and objection have been traversed or obviated, and that the rejections and objection should be withdrawn, and the application allowed

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